

**08-CV-00234-ORD**

## ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

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1 (3) The Clerk is directed to count this as a dismissal under 28 U.S.C. § 1915(g), and to  
2 send copies of this Order to plaintiff, to counsel for defendants, and to the Honorable  
3 James P. Donohue.

4 DATED this 14<sup>th</sup> day of October, 2008.

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7 JAMES L. ROBART  
United States District Judge  
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